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Broadcasting

FIRST IN TELEVISION CABLE RADIO SATELLITE

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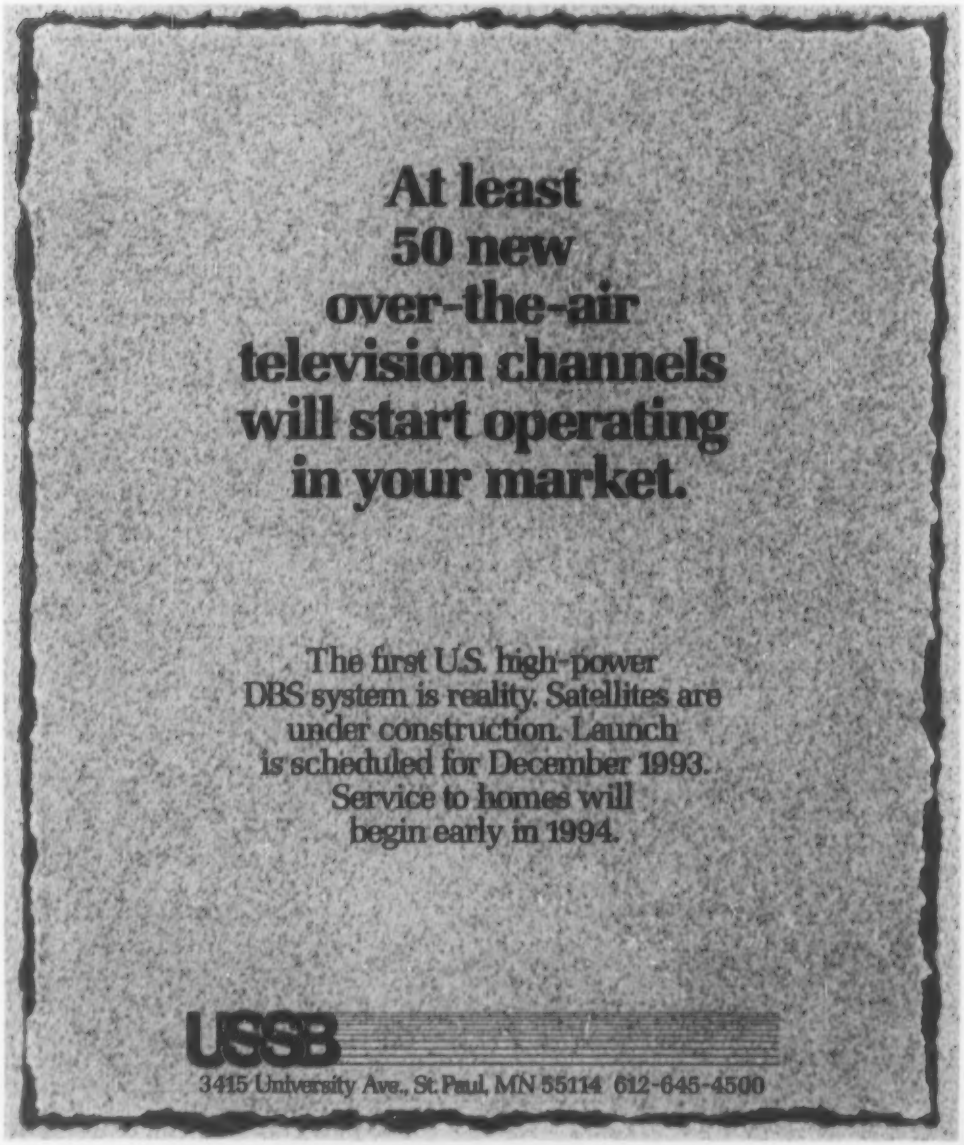

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PICKING UPFRONT WINNERS AND LOSERS

TCI SUED FOR $26.5 MILLION OVER LEARNING CHANNEL SALE

By Rich Brown and Randy Sukow

Long-simmering questions involving the 1991 sale of The Learning Channel surfaced last week in the form of a $26.5 million lawsuit against Tele-Communications Inc. The suit charges the nation's largest multiple system operator with using monopolistic tactics to interfere with the sale of the cable channel.

The suit was filed in federal court in New York by Data Broadcasting, the company formed by the Chapter 11 reorganization of Financial News Network. FNN, which owned 47% of TLC, had originally been offered $50 million for the network by the Lifetime cable network. According to the suit, Lifetime parent Hearst/ABC-Viacom Entertainment Services eventually backed out of the deal because TCI said it would drop TLC from its systems. With Lifetime out of the way, TCI's 49%-owned Discovery Channel was able to buy TLC for $30 million.

Last week's filing against TCI quickly caught the attention of Washington lawmakers, including House Telecommunications Subcommittee member Billy Tauzin (D.-La.), an advocate for program-access language in the cable bill (S. 12/H.R. 4850).

"I think it is further evidence of the kind of monopoly power the major integrated cable programers have over the industry, when they can twist the cable companies so hard that they can do what they allegedly did to The Learning Channel," said Tauzin. "If the allegations are correct, that really makes our case about the monopolistic power of these programers."

Tauzin compared the TLC dispute to a still-pending three-year-old lawsuit filed by Viacom and its Showtime Networks unit, which charges Time Warner with trying to monopolize the pay TV business through its Home Box Office and MSO divisions. Viacom and Time Warner executives offered no comment on rumors last week that the companies were about to settle the $2.5 billion suit. ■

This Week

FLAT UPFRONT / 3

The '92 network upfront market is expected to be flat compared with last year, with prices up but fewer spots sold.

FALLBACK ON FEE / 3

CBS last week gave up its plan for an affiliation charge, but replaced it with a reduction in compensation.

***STAR TREK* TRACK / 29**

Paramount has released some plot and character details of its second *Star Trek* spinoff, *Deep Space Nine*, which will debut in January with a two-hour telefilm.

FOX NET FEAT / 40

At the one-year mark, Fox Net has yielded solid returns to its Fox Broadcasting parent, primarily in pulling some of the broadcaster's affiliates onto the VHF band.

***REAL WORLD* ROCKS / 42**

MTV's real-life soap opera *The Real World* has tripled ratings in its time period and spawned talk of a second series set in London or Los Angeles.

FRITTS LETTER FLAP / 44

NAB President Eddie Fritts is reconsidering his decision to pull the association's 1994 convention out of Los Angeles. His letter citing "the perception that Los Angeles is a high-crime city" irked area broadcasters.

MINI-PHONE'S FUTURE / 46

Comments are due this week on the FCC's proposals for implementing personal communications services, a new generation of cellular telephones with a wide range of consumer applications.

HDTV PUSH / 48

In a speech to the International Broadcasting Convention, James McKinney, chairman of the Advanced Television Systems Committee, decried efforts to move ahead with enhanced analog TV at the expense of full digital HDTV.

YOUNG REACHES AGREEMENT / 52

Young Broadcasting reached an agreement in principle with its creditors to abort an involuntary bankruptcy petition, a move that could enable it to proceed with its planned acquisition of five H&C properties.

ALLBRITTON UNVEILED / 54

A filing for a public debt offering last week provided an inside look at Allbritton Communications, owner of TV stations in three markets.

Signals received from 'Deep Space Nine' (p. 29).

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CHANGE LIKELY FOR NEW RADIO OWNERSHIP

Broadcasters looking to expand their holdings under the FCC's new radio ownership caps may have to think again.

The commission, according to sources there, is expected shortly to issue a stay of the current ownership rules to allow for reconsideration. Commissioners Andrew Barrett, Ervin Duggan and James Quello—the three votes necessary to effect a stay—have all expressed a willingness to revisit the rules, which are scheduled to go into effect Aug. 3.

A reconsideration vote on new rules would probably not occur until August or, more likely, September.

The news that the commission may scrap its new policy, designed to improve the foundering radio business, comes the same week that the National Association of Broadcasters issued its 1992 radio financial report showing 59% of all radio stations did not make money last year (see below).

The commission's new rules permit common ownership of up to 60 stations (30 AM's and 30 FM's) nationwide and up to six stations (three AM's and three FM's) in the largest markets (40 or more stations). The number of stations that may be owned in local markets falls with the size of the market. The current caps allow no more than 12 AM's and 12 FM's and only one AM-FM combo per market.

No one expects major revisions. A 50-station national cap (25 AM-25 FM) with a 30-30 cap for minority broadcasters seems likely, with local limits at 2-2 in large markets (20 or more stations). Said one commission staffer: "Even if the rules are reconsidered, they probably won't go down to a level that would have a significant effect."

A stay of the rules was described by one staffer as a "symbolic gesture," intended in part to satisfy House Energy and Commerce Committee Chairman John Dingell (D-Mich.), who has been very critical of the new rules. However, some observers feel that a cut to 25-25 will not do the job.

Meanwhile, the National Telecommunications and Information Administration filed an opposition to the various petitions to reconsider the rules. The commission's actions, the NTIA said, serve the public interest and "could, in fact, be expanded." -JF

59% OF RADIO STATIONS LOST MONEY IN '91

NAB study shows biggest stations continue to post large profits

By Peter Viles

The NAB's annual financial report on radio, considered the most comprehensive survey of the health of radio stations, shows nearly 59% of all commercial stations lost money in 1991, and that the losses cut deeper than they did in 1990.

The survey, released last week, shows that the average pre-tax loss per station rose sharply, from $14,908 in 1990 to $26,394 in 1991 for FM stations, and from $13,865 to $26,645 for AM daytimers. The only exception was AM-FM combinations, which posted average pre-tax profits of $23,341—up from just $2,327 in 1990, but still well below 1988's $64,807.

While declining revenues prevailed across virtually all station types and market sizes, the nation's biggest stations are still raking in large profits, although not as large as in 1990. For stations with revenues exceeding $17 million, the average pre-tax profit in 1991 was $6.97 million; 25% of those stations made $10.3 million or more before taxes.

The NAB's 1991 radio report, which also showed that more than half of all commercial stations were losing money, is often cited as proof that the industry is suffering from structural weaknesses and would benefit from consolidation through relaxed ownership limits, as proposed by the FCC.

The 1992 report appears to bolster that argument, although it remains unclear just how many of the stations' problems are due to long-term industry trends and how many are due to the weak economy.

"Since the figures are even worse than '90, I think they further support the commission's findings that the industry is in financial trouble and needs some sort of consolidation," says Jeff Baumann, the NAB's executive vice president and general counsel.

But Robert Pepper, chief of the FCC's office of plans and policy, says the reported decline in performance from 1990 to 1991 doesn't necessarily make a stronger case for consolidation.

"You don't look year-to-year, you look at trends," he says. "What we based our decision on were long-term trends.... The trends we identified began before the soft economy."

The four-year trends in the NAB's report show declining revenues and pre-tax profits at every type of station from 1988 to 1991, with the exception of revenues at AM-FM combos.

The NAB's report, compiled by Price Waterhouse, is based on two surveys sent to 9,071 commercial stations. Some 2,500 stations returned usable questionnaires. ■

RADIO'S TROUBLED LANDSCAPE

(Add 000)

Type of station	Avg. Rev.		Avg. pre-tax profit (loss)		% of stations with pre-tax losses	
	'90	'91	'90	'91	'90	'91
Daytime AMs	$174	$155	($14)	($27)	N/A	67.5%
Fulltime AMs	$836	$778	$29	$5	N/A	64.9%
AM-FM Combos	$1,276	$1,260	$2	$23	N/A	56.1%
FMs	$1,308	$1,262	($15)	($26)	N/A	55.3%

Source: NAB's 1992 Radio Financial Report

Broadcasting's Ratings Week ϟ Jun 22-28

	ABC	CBS	NBC	FOX
MONDAY	9.6/17	11.2/20	11.5/21	4.9/9
8:00	40. FBI: Untold Str 8.9/17	29. Evening Shade 10.0/19	19. Fresh Prince 11.3/22	
8:30	31. Amer Detective 9.8/18	20. Major Dad 11.0/20	27. Blossom 10.2/18	85. Fox Night at the Movies—Hairspray 4.9/9
9:00	23. FBI: Untold Str 10.7/18	9. Murphy Brown 13.2/23	19. NBC Monday Night Movie—Love, Lies and Murder, Pt. 2 11.9/21	
9:30	25. Amer Detective 10.4/18	27. Grapevine 10.2/17		
10:00	40. The Commish 8.9/16	18. Northern Exposure 11.5/21		
10:30				
TUESDAY	11.9/21	11.4/20	12.2/21	NO PROGRAMING
8:00	11. Full House 12.7/24	14. Rescue: 911 12.3/23	78. Another World Primetime 6.1/11	
8:30	3. Home Improvmt 14.8/27			
9:00	3. Roseanne 14.8/25	20. CBS Tuesday Movie—Red Heat 11.0/19	1. 19th Annual Daytime Emmy Awards 15.3/26	
9:30	15. Coach 11.9/20			
10:00	44. Jack's Place 8.6/15			
10:30				
WEDNESDAY	7.6/14	11.7/22	9.8/18	NO PROGRAMING
8:00	56. Wonder Years 7.9/15	35. David Copperfield Special 9.5/19	17. Unsolved Mysteries 11.6/23	
8:30	60. Growing Pains 7.7/15			
9:00	56. Doogie Howser 7.9/14	8. Raven* 13.3/24	24. Seinfeld 10.5/19	
9:30	51. Who's the Boss? 8.1/14		42. Home Fires 8.8/15	
10:00	68. Civil Wars 7.0/13		51. Quantum Leap 8.1/15	
10:30		20. 48 Hours 11.0/21		
THURSDAY	9.4/18	9.8/18	9.2/17	7.0/13
8:00	73. Young Riders 6.4/13	35. Top Cops 9.5/19	46. Cosby 8.5/17	47. Simpsons 8.4/17
8:30			32. A Diffrnt World 9.6/18	80. Drexell's Class 5.9/11
9:00	48. The Commish 8.3/15	35. Street Stories 9.5/17	13. Cheers 12.4/23	69. Beverly Hills 90210 6.8/12
9:30			29. Home Fires 10.0/18	
10:00	7. Primetime Live 13.6/25	25. Bodies of Evidence 10.4/19	64. L.A. Law 7.3/13	
10:30				
FRIDAY	10.2/22	5.9/12	7.5/16	4.6/10
8:00	35. Family Matters 9.5/22	87. H'wood Game 4.4/10	51. Matlock 8.1/18	83. America's Most Wanted 5.1/12
8:30	32. Step By Step 9.6/21	91. Say What? 3.8/8		
9:00	44. Dinosaurs 8.6/18	69. CBS Friday Movie—Another Pair of Aces: Three of a Kind 6.8/14	65. Reasonable Doubts 7.2/15	85. Sightings 4.9/10
9:30	49. Baby Talk 8.2/17			96. Hidden Video 2 3.2/7
10:00	11. 20/20 12.7/26		66. Law and Order 7.1/15	
10:30				
SATURDAY	5.0/11	5.5/13	7.3/16	5.9/13
8:00	94. Billy 3.4/8	82. CBS Saturday Movie—Return to Green Acres 5.2/12	66. Golden Girls 7.1/17	76. Cops 6.2/15
8:30	95. Julie 3.3/8		69. Home Fires 6.8/16	63. Cops 2 7.4/17
9:00	91. Perfect Strang. 3.8/8		51. Empty Nest 8.1/18	79. Code 3 6.0/13
9:30	93. On the Air 3.6/8		43. Nurses 8.7/19	90. Vinnie & Bobby 4.0/9
10:00	56. The Commish 7.9/17	76. Jake and the Fatman 6.2/14	72. Sisters 6.5/14	
10:30				
SUNDAY	8.1/15	14.7/28	9.0/17	6.7/12
7:00	83. Life Goes On 5.1/11	2. 60 Minutes 15.0/34	81. Olympic Showcase Primetime 5.4/11	89. Bill & Ted 4.1/9
7:30				88. True Colors 4.2/9
8:00	49. Am Fun Hme Vid 8.2/17	6. Murder, She Wrote 14.2/28		61. In Living Color 7.6/15
8:30	51. Am Fun People 8.1/15			59. Rachel Gunn, R.N.* 7.8/15
9:00	32. ABC Sunday Night Movie—Sudden Impact 9.6/17	5. CBS Sunday Movie—Sins of the Mother 14.7/26	10. NBC Sunday Night Movie—The Empire Strikes Back 12.8/23	39. Married w/Childn 9.1/16
9:30				61. Herman's Head 7.6/13
10:00				73. Down the Shore 6.4/11
10:30				73. Married w/Childn 6.4/11
WEEK'S AVGS	8.8/17	10.2/20	9.5/18	5.9/12
SSN. TO DATE	11.6/20	12.9/22	11.9/20	7.7/13

RANKING/SHOW (PROGRAM RATING/SHARE) *PREMIERE SOURCE: A.C. NIELSEN YELLOW TINT IS WINNER OF TIME SLOT

Changing Hands

This week's tabulation of station and system sales ($250,000 and above)

WTOL-TV Toledo, Ohio; WFIE-TV Evansville, Ind., and KAIT-TV Jonesboro, Ark. □ Sold by Cosmos Broadcasting Corp. to Broad Street Communications for approximate price of at least $65 million. ("In Brief," June 29). WTOL-TV is CBS affiliate on ch. 11 with 316 kw visual, 38 kw aural and antenna 1,000 feet above average terrain. WFIE-TV is NBC affiliate on ch. 14 with 2208 kw visual 56.2 kw aural and antenna 1,022 feet above average terrain. KAIT-TV is ABC affiliate on ch. 8 with 316 kw visual, 47.9 kw aural and antenna 1,750 feet.

KRLD(AM) Dallas □ Sold by Command Communications to CF Media for $65 million plus stock options. Price includes KODA(FM) Houston and KJQY(FM) San Diego; price of Houston and San Diego stations was previously announced at $45 million. Sale also includes the Texas State Networks, group of regional and national radio networks. CF Media was created through consolidation of some radio properties of Robert F.X. Sillerman (BROADCASTING, March 23). **Seller** is headed by Carl Brazell. **Buyer** is headed by Sillerman, who has minority investment in Command Communications. Stations merged to form CF Media are KODA (FM) Houston, KJQY(FM) San Diego, KKCW(FM) Portland, Ore., WSIX-FM Nashville, WJDS(AM)-WMSI(FM) Jackson, Miss., and WSSL-AM-FM Greenville-Spartanburg, S.C. KRLD is 50 kw fulltimer with news, sports format on 1080 khz.

WVRI(FM) Orlando, Fla. (Capitol Broadcasting); WPRD(AM)-WMGF-(FM) Orlando and WFYV(AM) Jacksonville, both Florida (Metroplex Communications), and WAIA(FM) Jacksonville, Fla. (Rowland First City Radio Inc.) □ Sold to Paxson Enterprises Inc. for approximately $17 million ("In Brief," June 29). Capitol Broadcasting is headed by James F. Goodmon, and is licensee of one AM, three FM's and two TV's. Metroplex is headed by Norman Wain and Robert Weiss. Rowland First City Radio Inc. is headed by Marshall W. Rowland Sr., and owns four FM's. Paxson Enterprises is headed by Lowell (Bud) Paxson, and owns three AM's and four FM's. WVRI has AC format on 101.1 mhz with 100 kw and antenna 1,598 feet above average terrain. WPRD has news format on 1440 khz with 5 kw day and 1 kw night. WMGF has AC format on 107.7 mhz with 100 kw and antenna 1,584 feet. WFYV has AOR format on 1460 khz with 5 kw. WAIA has classic rock format on 93.3 mhz with 50 kw and antenna 462 feet. *Brokers: Blackburn & Co. and Media Venture Partners.*

WHKE(TV) Kenosha, Wis. □ Sold by Le Sea Broadcasting Corp. to Lab Partners for $1.35 million. **Seller** is headed by Peter Sumrall (vice president), and is also licnesee of WHME-FM-TV South Bend and WHMB(TV) Indianapolis, both Indiana; KWHB(TV) Tulsa, Okla.; KWHD(TV) Castle Rock, Colo., and KWHE(TV) Honolulu and KWHA(TV) Hilo, both Hawaii. It also has interests in two LPTV's. Certain principals of assignor also have interests in buyer. **Buyer** is headed by managing partner Dewayne Adamson, and has no other broadcast interests. WHKE is independent on ch. 55 with 750 kw visual, 75 kw aural and antenna 500 feet above average terrain.

PROPOSED STATION TRADES

By volume and number of sales

This Week:

AM's □ **$0** □ **0**

FM's □ **$6,891,005** □ **4**

AM-FM's □ **$10,400,000** □ **3**

TV's □ **$66,350,000** □ **4**

Total □ **$83,641,005** □ **11**

1992 to Date:

AM's □ **$128,522,015** □ **103**

FM's □ **$139,287,548** □ **119**

AM-FM's □ **$182,484,805** □ **81**

TV's □ **$1,180,666,620** □ **37**

Total □ **$1,630,960,988** □ **339**

For 1991 total see Jan. 27, 1992 BROADCASTING.

CLOSED!

KSSS-AM/KVUU-FM, Colorado Springs, Colorado from Radio Ventures to Dick Broadcasting Company for $1,210,000.

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Heinz Bauer, and has no other broadcast interests. **Buyer** is headed by Terry Lee Trunzo, who is general manager of WCOO(FM) Immokalee, FL. Action June 15.

■ **WDCY(AM) Douglasville, GA** (1520 khz; 2.5 kw-D)—Granted assignment of license from William C. Dunn to The Parris Group Inc. for $145,000. **Seller** has no other broadcast interests. **Buyer** is headed by Kenneth O. Parris, and has no other broadcast interests. Action June 15.

■ **WCAZ-AM-FM Carthage, IL** (990 khz; 1 kw-D, 9 w-N; FM: 92.1 mhz; 3 kw; ant. 300 ft.)—Seeks assignment of license from Bryan Broadcasting Inc. to Reality Plus Corp. for $850,000. **Seller** is headed by Dan C. Bryan, and has no other broadcast interests. **Buyer** is headed by John P. Jamison (60%), and has no other broadcast interests. Action June 22.

■ **WEWZ(FM) Elwood, IN** (101.7 mhz; 3 kw; ant. 141 ft.)—Granted assignment of license from Joel Schneider Broadcasting Inc. to Phoenix Broadcasting Corp. for $80,000. **Seller** is headed by Jol Schneider, and has no other broadcast interests. **Buyer** is La Mar E. Hughes, and has no other broadcast interests. Action June 17.

■ **WKVG(AM) Jenkins, KY** (1000 khz; 1 kw-D)—Granted assignment of license from Kincraft Industries to Martins & Associates Inc. for $40,000. **Seller** is headed by general partners James W. Craft and Anna C. Kincer, and is licensee of WIFX-FM Jenkins, KY. **Buyer** is headed by Jerry A. Martin, and has no other broadcast interests. Action June 15.

■ **WRNO-FM New Orleans** (99.5 mhz; 100 kw; ant. 1,049 ft.)—Granted transfer of control from Gulf South Broadcasters Inc. to Radio WRNO-FM Inc. for $770,000. **Seller** is headed by Joseph M. Costello III, who controls international station WRNO Worldwide. Costello also owns stock of licensee of KXOR(FM) Thibodaux, to be transferred to him prior to consummation of WRNO-FM. He also has interests in KKAY-AM-FM Whitecastle-Donaldsonville, LA. **Buyer** is headed by Thomas R. Galloway Sr., 100% owner of licensees of KPEL(AM)-KTDY(FM) Lafayette and WGMB(TV) Baton Rouge, both Louisiana; KEZA(FM) Fayetteville, AR, and KPEJ(TV) Odessa, KWKT(TV) Waco and KVEO(TV) Brownsville, all Texas. Action June 16.

■ **WBME(AM) Belfast, ME** (1230 khz; 1 kw-D, 250 w-N)—Dismissed app. of assignment of license from Marine Broadcasting Co. to Harvest Broadcasting of Maine Inc. for $5,000. **Seller** is headed by Douglas L. Brown, and has no other broadcast interests. **Buyer** is headed by William Wittik, and has no other broadcast interests. Actiom May 14.

■ **WCVX(TV) Vineyard Haven (Providence-New Bedford), MA** (ch. 58; 1,191 kw-V; 119.1 kw-A; ant. 470 ft.)—Granted assignment of license from Cape Cod Television Inc. to Cape Television Inc. for $826,000. Station, which is not on air, is asset of subsidiary of receiver Sentry Savings Bank, Massachusetts, and is being sold by Resolution Trust Corp. **Buyer** is headed by Paul P. Flynn, and has no other broadcast interests. Action June 16.

■ **WHGR(AM)-WUPS(FM) Houghton Lake, MI** (1290 khz; 5 w-U; FM: 98.5 mhz; 100 kw; ant. 480 ft.)—Granted transfer of control from licensee Northlands Communications Inc. to Melling Tool Company, auto parts manufacturer, for no cash consideration; Harry Melling, 100% stockholder of licensee and owner of transferee, is transferring his shares for estate planning, tax and other purposes. John M. Salov, president of licensee, has application of CP for new FM at Hudson, MI. Gary B. Mallernee, director, has 75.6% interest in licensee of WTVB(AM)-WNWN(FM) Coldwater and WHEZ-(AM) Portage, both Michigan. Action June 10.

■ **KQAQ(AM) Austin, MN** (970 khz; 5 kw-D; 500 w-N)—Granted assignment of license from S & D Broadcasting Co. to Robert E. Ingstad and Janice M. Ingstad for $160,000. **Seller** is headed by James W. Hall, and has interests in KHAK-AM-FM Cedar Rapids, IA. Vice president Darrell Solbey has interests in WNNO-AM-FM Wisconsin Dells, WI. Chairman Larry W. Edwards has interests in WMT-AM-FM Cedar Rapids, IA. **Buyer**, Robert Ingstad, has interests in KGFX-AM-FM Pierre, SD; KBUF(AM)-KKJQ(FM) Garden City, KS; KKOA(AM)-KKPR(FM) Kearney, NE; KQPR-FM Albert Lea, KDHL(AM)-KQCL(FM) Faribault and KWMB(AM) Wabasha, all Minnesota, and permittee of KQLW(FM) Wabasha KVNG(FM) Spring Valley and KLZZ(FM) Deer River, all Minnesota. Action June 12.

■ **KYRO(AM) Potosi, MO** (1280 khz; 500 w-D)—Granted assignment of license from Mid Central Broadcasting Co. Inc. to James T. Porter for $100,000. **Seller** is headed by James W. Crismon, and has no other broadcast interests. **Buyer** has no other broadcast interests. Action June 17.

■ **KIXR(FM) Ponca City, OK** (100.1 mhz; 3 kw; ant. 299 ft.)—Returned app. of transfer of control within licensee Kix Communications Inc. for $250,000. **Seller** is Frank Chappell, selling 51% to **Buyer** Bill Burns. Principals have no other broadcast interests. Action Feb. 27.

■ **KYKR(FM) Beaumont, TX** (95.1 mhz; 100 kw; ant. 500 ft.)—Dismissed app. of assignment of license from Triplex Communications Inc. to Gulfstar Broadcasting for $425,000 ("Changing Hands," May 4). **Seller** is headed by Charles P. Frischmann, and has no other broadcast interests. **Buyer** is headed by R. Steven Hicks, and is licensee of KLVI(AM)-KYKR(FM) Beaumont, TX. Hicks also has interests in licensee of KVET-FM Austin, TX. He also owns Capstar Inc., ultimate licensee of WJDS(AM)-WMSI(FM) Jackson, MS, WSSL-AM-FM Greenville, SC, WSIX-FM Nashville. Capstar is part of merger forming CF Media, consolidation of broadcast interest of Robert F.X. Sillerman (see BROADCASTING, March 23). Action June 15.

■ **KNGV(FM) Kingsville, TX** (92.7 mhz; 3 kw; ant. 210 ft.)—Granted assignment of license from Bruton Broadcast Communications Inc. to Kingsville Radio Co. Inc.; **Seller** defaulted on payment to Kingsville Radio Co. for principal amount of $425,000. Bruton is also selling KDSI(AM)-KQNN(FM) Alice, TX (see above). **Seller** is headed by Robert R. Bruton, and has no other broadcast interests. **Buyer** is headed by Michelle S. Martin. Her father, George W. Marti, is purchasing KDSI(AM)-KQNN(FM) Alice, TX, from assignor. Action June 15.

■ **KXGM(FM) Muenster, TX** (106.5 mhz; 6 kw; ant. 328 ft.)—Granted transfer of control of licensee Gain-Air Inc. for $10,000. **Seller** is Robert H. Wurst, transferring 41% interest. **Buyer** is Charley Henderson, who will own 90%. Principals have no other broadcast interests. Action June 12.

■ **KAMV(FM) Victoria, TX** (92.3 mhz; 3 kw; ant. 298 ft.)—Granted assignment of license from Bennet Broadcasting Inc. to Ellis Broadcasting for $90,000. **Seller** is headed by Dudley McDougal, who has 90% in licensee of KNAL(AM) Victoria, TX. **Buyer** is headed by John E. Ellis, and has no other

SUMMARY OF BROADCASTING & CABLE

BROADCASTING

Service	ON AIR	CP's[1]	TOTAL*
Commercial AM	4,978	231	5,209
Commercial FM	4,662	989	5,651
Educational FM	1,537	310	1,847
Total Radio	**11,177**	**1,530**	**12,707**
Commercial VHF TV	558	13	571
Commercial UHF TV	580	167	747
Educational VHF TV	123	5	128
Educational UHF TV	236	10	246
Total TV	**1,497**	**195**	**1,692**
VHF LPTV	457	146	603
UHF LPTV	786	831	1,617
Total LPTV	**1,243**	**977**	**2,220**
FM translators	1,897	367	2,264
VHF translators	2,505	74	2,579
UHF translators	2,360	392	2,752

CABLE

Total subscribers	55,786,390
Homes passed	92,040,450
Total systems	11,254
Household penetration†	60.6%
Pay cable penetration/basic	79%

* Includes off-air licenses. † Penetration percentages are of TV household universe of 92.1 million.
[1] Construction permit. [2]Instructional TV fixed service. [3]Studio-transmitter link.
Source: Nielsen, NCTA and Broadcasting's own research.

Among several **amendments approved in the Senate's aid package** for countries of the former Soviet Union and Eastern Europe (S. 2532) passed last Thursday (July 2) was a **plan to use telecommunications technologies to transmit instructional programing** to those countries.

Media broker Gary Stevens, as receiver and broker for GMX Corp., **sold GMX's remaining stations.** WHNK(AM)-WRLT-FM Nashville was sold to a group led by the stations' general manager Ned Horton for $505,000, and KLCL(AM)-KHLA(FM) Lake Charles, La., and WNAU(AM)-WWKZ(FM) Tupelo, Miss., were sold to Radio South Inc., headed by Houston L. Pearce, former NAB board member, for $1.2 million.

Production has begun on the sixth season of *Star Trek: The Next Generation,* with the shift of some top production executives. The series, which is produced by Paramount Network Television for syndication by Paramount Domestic Television, continues under the supervision of executive producers Rick Berman and Michael Piller. However, David Livingston will move from producer to supervising producer, and former supervising producer Jeri Taylor will serve as co-executive producer. Frank Abatemarco, whose credits include former ABC series *Equal Justice* and *Mission Impossible*, joins as supervising producer. Berman and Piller will also be serving as executive producers of the January 1993 companion piece *Star Trek: Deep Space Nine* (see page 29), with production of 18 episodes set to begin in late August.

NSS POCKETPIECE

(Nielsen's top ranked syndicated shows for the week ending June 21. Numbers represent aggregate rating average/stations/% coverage)

1. Wheel Of Fortune	11.7/228/99
2. Jeopardy!	10.2/217/98
3. Star Trek	9.7/242/99
4. Oprah Winfrey Show	9.1/231/99
5. Entertainment Tonight	7.1/191/98
6. Married...With Children	6.8/175/92
7. Cosby Show	6.3/203/97
7. A Current Affair	6.3/175/94
9. Donahue	5.8/230/99
9. Inside Edition	5.8/140/90
11. Wheel Of Fortune-wknd	5.7/188/83
12. WKRP In Cincinnati	5.2/238/99
13. Sally Jessy Raphael	5.0/210/98
14. Hard Copy	4.8/175/92
15. Love Connection	4.6/181/83

The FCC has ruled that **independently produced "bona fide" news interview programs qualify for the equal opportunities exemption.** The decision was in response to a request by PBS, the Association of America's Public Television Stations and the Independent Television Service. They argued that the FCC's policy that restricts eligibility for the bona fide news interview exemption to programs produced by "licensees" and "networks" is based on a mistaken reading of the Communications Act.

The CBS Evening News instituted a policy last week that **presidential candidates appearing in the program be given soundbites of not less than 30 seconds;** soundbites shorter than that will not be allowed in any stories. A recent study by the Center for Media and Public Affairs found that soundbites this election season had dropped to an average of 7.3 seconds, compared with 9.8 seconds in the last campaign and 42.3 seconds in 1968.

Since Jay Leno took over the *The Tonight Show* five weeks ago, Twentieth Television's late-night dating show, ***Studs*, has gained metered market ratings** at the apparent expense of Paramount Domestic Television's *The Arsenio Hall Show*. During the five-week (NSI, May 25-June

CABLE REREG BILL STATUS REPORT

Action on the House floor this week on the cable reregulation bill (H.R. 4850) is considered highly unlikely, despite making advances in the legislative process last week. A vote is expected soon after the recess for the Democratic National Convention (July 13-17).

The committee report on the bill was filed last Monday (June 29), only seven legislative days after being passed by the Energy and Commerce Committee (BROADCASTING, June 22). At the same time, Commerce Chairman John Dingell (D-Mich.) wrote to the House Rules Committee to request "a hearing at the earliest practicable date" to consider rules for offering amendments during the floor debate. No date for the hearing had been set at deadline last week, but it was anticipated that it could be held by this week. (The House will meet only two days during this post-holiday, pre-convention week.)

Dingell requested a "restrictive rule, with any amendment to the bill provided for review by the Rules Committee in advance of consideration." If the Rules Committee grants that ruling, it could make it more difficult for an amendment from another committee—such as Copyright Subcommittee Chairman William Hughes's (D-N.J.) cable compulsory license repeal bill (H.R. 4511)—to be amended to H.R. 4850.

A Judiciary markup on H.R. 4511 this week is also a strong possibility. Judiciary is expected to press to have H.R. 4511 amended to the cable bill rather than retransmission consent, which is supported by most Energy and Commerce members. -mm